STATE OF MICHIGAN

COURT OF APPEALS

UNPUBLISHED
July 23, 2013

In the Matter of C.E. LLEWELLYN, Minor.

No. 313504
Calhoun Circuit Court
Family Division
LC No. 2011-002534-NA

Before: SAWYER, P.J., and METER and DONOFRIO, JJ.

PER CURIAM.

Respondent-mother appeals as of right the order terminating her parental rights to the minor child under MCL 712A.19b(3)(c)(*i*), (c)(*ii*), (g), and (j).[1] We affirm.

> This Court reviews for clear error the trial court's ruling that a statutory ground for termination has been established and its ruling that termination is in the children's best interests. A finding is clearly erroneous if, although there is evidence to support it, this Court is left with a definite and firm conviction that a mistake has been made. [*In re Hudson*, 294 Mich App 261, 264; 817 NW2d 115 (2011) (citation omitted).]

The child was removed from respondent in August 2011 because of concerns regarding her substance abuse and mental health. The agency provided respondent with multiple service referrals, including therapy, psychological consultation and assessment, random drug screens, and parenting classes. At the October 31, 2012, termination hearing, the assigned foster-care worker testified that respondent failed to substantially comply with, or benefit from, services. The record supports that respondent tested positive for drugs on multiple occasions and missed numerous drugs screens throughout the case. The record further indicates that respondent missed numerous therapy appointments and did not substantially comply with services to address her mental-health issues. Respondent failed to follow through with any of her parenting-class referrals and demonstrated aggressive behaviors at multiple supervised parenting times. The record also supports that respondent struggled to maintain consistent housing throughout the

[1] Respondent's brief on appeal asserts that the trial court erred by terminating her parental rights under MCL 712A.19b(3)(h). However, the trial court did not grant termination under MCL 712A.19b(3)(h) and respondent's brief on appeal provides no discussion related to (3)(h).

case. At the termination hearing, the foster-care worker testified that the child had been living in the same pre-adoptive foster home for over a year and that he was thriving in that home and was bonded with his foster parents. The foster-care worker further indicated that the child needed a level of permanence that respondent was unable to provide.

On the record before us, the trial court's findings that respondent had not rectified the conditions that led to the adjudication, and there was no reasonable likelihood that she would do so within a reasonable time, see MCL 712A.19b(3)(c)(*i*), do not leave us with "a definite and firm conviction that a mistake has been made." *In re Hudson*, 294 Mich App at 264; see also *In re Williams*, 286 Mich App 253, 272; 779 NW2d 286 (2009), and *In re LE*, 278 Mich App 1, 27; 747 NW2d 883 (2008). Having concluded that the trial court did not clearly err by finding a statutory ground for termination under MCL 712A.19b(3)(c)(*i*), we do not need to address the trial court's additional grounds for termination. *In re HRC*, 286 Mich App 444, 461; 781 NW2d 105 (2009). Nevertheless, we also find that the record supports the trial court's findings that MCL 712A.19b(3)(g) and (j) constituted additional grounds for termination. See *In re Gazella*, 264 Mich App 668, 676; 692 NW2d 708 (2005), superseded in part on other grounds by statute as stated in *In re Hansen*, 285 Mich App 158, 163; 774 NW2d 698 (2009), vacated on other grounds 486 Mich 1037 (2010) (to retain parental rights, "a parent must benefit from services offered so that he or she can improve parenting skills to the point where the children will no longer be at risk in the parent's custody").

Respondent argues that she should have been given more time to address her barriers to reunification because "[a] person with mental illness is disabled and should be afforded every opportunity to overcome her disability even if it means that the best interest of the child would be compromised." However, respondent abandoned this argument by failing to provide any supporting authority and relying merely on conclusory statements. *In re Hudson*, 294 Mich App 261, 265; 817 NW2d 115 (2011); *Ewald v Ewald*, 292 Mich App 706, 726; 810 NW2d 396 (2011). Moreover, the record establishes that respondent was offered ample services for more than a year before termination, but was noncompliant and even resistant to those services. Respondent has not shown that the trial court erred by not granting her additional time or services.

Further, on the record before us, the trial court's finding that termination was in the minor child's best interests does not leave us with "a definite and firm conviction that a mistake has been made." *In re Hudson*, 294 Mich App at 264.[2] The record indicates that respondent failed

[2] Respondent's entire best-interests argument is as follows:

> The Court explored whether it would be in the best interest of the child to terminate [respondent's] parental rights[;] however, it would be impossible to make this determination without determineing [sic] the other issues first.
>
> In other words, we argue that this issue is premature and should not be considered at this time. When you look at the entire record of these proceedings, you must and we request that the Court does, remand this case back to the lower [c]ourt and [g]rant [respondent's] appeal.

to comply with services to address her substance-abuse and mental-health issues. The record further indicates that the child needed permanence and was thriving in his current pre-adoptive placement. See *In re VanDalen*, 293 Mich App 120, 141; 809 NW2d 412 (2011).

Affirmed.

/s/ David H. Sawyer
/s/ Patrick M. Meter
/s/ Pat M. Donofrio